

**REMARKS**

The Office Action of July 13, 2006, has been carefully reviewed, and in view of the above amendments and the following remarks, reconsideration and allowance of the pending claims are respectfully requested.

In the above Office Action, claims 1-16 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Hanson et al.* (U.S. Patent No. 5,509,915). For at least the following reasons, Applicants respectfully traverse these rejections.

Claim 1 is directed to an absorbent article comprising an absorbent body. A liquid-permeable covering layer is arranged over a first surface on the absorbent body, the liquid-permeable covering layer comprising a nonwoven material with a pore volume distribution curve with a maximum at a pore radius greater than or equal to 50  $\mu\text{m}$  and with a wetting angle of at least 120°. Further, a liquid-permeable liquid-transfer layer is arranged between the absorbent body and the liquid-permeable covering layer, the liquid-transfer layer comprising a fibrous layer with a pore volume distribution curve with a maximum at a pore radius of from 105 to 325  $\mu\text{m}$ .

The primary reference upon which the Examiner relies, *Hanson et al.*, discloses an absorbent article including a backsheet layer 30, a liquid permeable topsheet layer 28, and an absorbent structure 32 interposed therebetween. The absorbent structure 32 further includes a surge management portion, such as surge layer 46, which is located adjacent at least one major, facing surface of topsheet layer 28. *Hanson et al.* discloses that various woven and nonwoven fabrics can be used for topsheet 28. Col 7, lines 21-25. *Hanson et al.* further discloses a technique for measuring the wettability of materials used for the surge management portion 46.

As defined therein, fibers having contact angles less than  $90^\circ$  are designated "wetable", while fibers having contact angles greater than  $90^\circ$  are designated "nonwetable". Col. 12, lines 46-50. While the surge management portion is disclosed as being of mixture of wettable and nonwetable fibers or entirely wettable fibers, the goal of Hanson et al. appears to be to reduce the contact angle below  $90^\circ$ . Hanson et al. also describe the effective pore size of the material of the surge management portion 46. Col. 27, lines 16-32.

Contrary to the Examiner's interpretation of Hanson et al., Applicants respectfully contend that Hanson et al. does not disclose or suggest any pore volume distribution curve for the topsheet 28. Similarly, Hanson et al. does not disclose or suggest any preferred contact or wetting angle for the material of the topsheet 28. The disclosure apparently relied upon by the Examiner and referenced above regarding contact angles pertains to the surge management layer 46 -- not to the liquid permeable topsheet 28. Accordingly, since claim 1 recites that it is the liquid-permeable covering layer that has a distribution curve with a maximum at a pore radius greater than or equal to  $50\text{ }\mu\text{m}$  and a wetting angle of at least  $120^\circ$  -- not the liquid transfer layer -- Applicants submit that claim 1 is not anticipated by the cited reference.

Applicants further submit that the remaining claims are patentable based at least upon their dependence from claim 1.

**CONCLUSION**

In view of the above amendments and remarks, Applicants respectfully submit that the claims of the present application are now in condition for allowance, and an early indication of the same is earnestly solicited.


Should any questions arise in connection with this application or should the Examiner believe that a telephone conference would be helpful in resolving any remaining issues pertaining to this application; the Examiner is kindly invited to call the undersigned counsel for Applicants regarding the same.

Respectfully submitted,

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